App. F. IX-4

Previous References

1938-30

File No. 134-29

Serial Nos. 1–9

Later References

O.C. 30-31 /

G.C. 30-31-769

Preserve
31/1/43

General and Revenue Secretariat.

Serial Nos.

Part B for 1931

SUBJECT.

Suit filed by Maharaja Chandra Shamsher
vs. Keshar Jung Rayaji. Settlement of Dispute
Regarding Jagir in the Name of Bhawani Dasi

General and Revenue Secretariat

File No. 134 of 1929

Serial No.

Letter no: C 8 - H B. 114 of 28.29 dated 19th march 1930 from the Deputy Comr Bangalore regarding the suit filed by Gaini Veeraswami Naidu O.S. 80 of 29.30 on the file of the Sub Judge, Bangalore

1) This is a suit by one Bhoganacharri for recovery of the balance of the purchase money due under the sale deed executed in favour of the 1st deft one Veerasami naidu — a clerk in the G.R.S. to whom a House Purchase Advance was granted by Govt for which he has mortgaged the house in dispute to the Dewan of Mysore, who is made the 2nd deft in the suit since he is a mortgagee

2) It is not clear how the Summons is served on the deputy Comr, Bangalore The deft. ought to be the Govt of Mysore by Chief Secy.

3) Since the suit is posted to 24th march 1930, the Pltr, Bangalore will be required to appear and take time for a month to get orders as to the defence of the suit.

4) The summons will be returned to the D.C., Bangalore with instructions to return them to the Court such time

General and Revenue Secretariat

Law File No. 134 of 1929

Serial No.	
	not the person on whom the Summons is to be served – Drafts put up. Sgd 21.3.30. Sgd P. 21/3 21/3
2.	To the Public Prosecutor Bangalore P 5066 dated 21.3.30. requesting him to obtain & return an acknowledgment for a month on 24th March 193
3	To the Deputy Com'r, Bangalore P 5067 (4) dated 21.3.30 forwarding copy of letter to PPr & instructing him to return the Summons to Court. 5) The Office Branch may kindly be requested to put up the papers connected with the case. Sgd 25/3/30 25/3 To Mudpts, Office Br with Compts, for kind compliance The Connected files are sent herewith. The Supdt. Ro. Br. with Compliments Called for personal reference 26/3 26/3 26/3

WD1066—GPB—80,000—26-7-29

Sgd 26/3

General and Revenue Secretariat

File No. 134 of 192

Serial No.	
	Letters No 347 of 29.30 dated 29.3.30 stating that the case is posted 23rd may 30 for filing Vakalat and WS & requesting necessary instructions for drafting the same. 6) The PPR, has not sent the Vakalat. Moreover the description of the 2nd deft as "Dewan of mysore Thro' D.C. Bangalore is not correct. It is not therefore clear who has to give the Vakalat whether the Dewan of mysore or the D.C Bangalore Draft calling for explanation putup POY 4.4.30 SM 4/4 Jeeva 4/4
5	The Public Prosecutor, Bangalore P.5525 dt 9.4.30 instructing him to call the attention the Court to the incorrect description the 2nd deft and nonservice of Summons & obtain orders on the points on the date of hg

Serial No.

Dewan of mysore for reasons stated in para (1) supra - He is only a pro-forma defendant since a charge is claimed on the suit property for the balance of the purchase money & the Dewan is a mortgagee of the property ~~granted~~ granted to the house building advance granted to the 1st defendant on its security

(8) The advance granted was Rs 3192-0-0 for which the mortgage dated 19-1-1929 ~~is~~ was executed by Mr V. Naidu in favour of the Dewan, hypothecating the house in dispute - Mr. V. Naidu however got title to the house by means of the sale deed dated 18-2-29, ie a month after the mortgage - On account of certain disputes between the vendor & Mr Naidu regarding the house sold, Mr Naidu did not pay the balance of the purchase money that he had to pay & the present suit by the Vendor -

(9) Govt are of course not in any way interested in the dispute between the plaintiff & the 1st deft - They have only to look after the security for the money advanced The exact amount still due on the mort is not clear from the limited file - If the full amount advanced has been received the mortgage may be treated as discharged and Govt would not be necessary party

6. Re pressure litigation -

If some amounts still remain due, it is a matter for consideration if Govt wish to insist on the security of the house in dispute, in which case the Suit has to be defended so as to guard Govt's interests in the security - The mortgage in favour of Govt being a mortgage of a property to be thereafter acquired by the mortgagor, it cannot have priority over the Statutory lien of the vendor for the balance of the purchase money & Govt would perhaps be entering into an unnecessary & fruitless litigation - The better course would be to get some other security for the amount still due by Mr. Naidu & release the mortgage & thus escape from the [illegible], if any, of the Suit -

of the Prosecution Branch must be followed

The party may be called upon to deposit

the balance of the amount due or furnish

some additional tangible security.

DEWAN'S OFFICE
5. AUG. 1930
520

1/8/30

If this question is settled before 12th August
the Public Prosecutor may be instructed to Prosecution Br
say that Govt have no interest in the
suit property and leave the other parties
to go on with the suit. Otherwise he has
to be requested to appear on the 13th August
take a months adjournment for filing
the defence. ~~Date~~ ~~the which~~ In any case the Vakalat Flag
now sent has to be submitted to the Date.
Dewan for signature and sent to the
Pprs, in time.

Legal Dr

DRL 2/8/30.

4·3·30
O

App. F. III—2]

General and Revenue Secretariat | File No. | of 193

Serial No.

(13) may be forwarded to the Cash Section for full information as the queries of the Fin. Secty under date 21.7.1930 in the previous page submitted.
21.7.30 yrs
21.7.30
O.B).
22/7/30

(14) The balance due by Dr M. Veeraswamy Naidu is as shown below:-

H.B. Adv. drawn	3192-00	
Deductions from pay (16 months @ 33-4-0)		532.0.0
Refunded in cash		1400-00
	3192-00	1932.00

Balance due Rs. 1260.0.0

(15) The amount was advanced on the security of the house and on the personal security of one Dr. G. Venkataswamy Naidu Chief Guard Mysore Rly.

(16) Dr. G.O. No. Fl. 4873-5 dt 2.1.29 on the grant of H.B. advance for Rs 3192/- viz. that the balance of advance if any at the time of his superannuation shall be deducted out of his insurance amount. The Dr

Refce: para 18 Supra -

c) Draft to PPr Bangalore, forwarding the Vakalat duly signed by the Dewan & requesting him to take another adjournment on 13/8/30, if no instructions are received till then

Legal R

5/8

To

The PPr B'lore.

No. P. 733 dated 7.8.30 forwarding the vakalat duly signed by Dewan and requesting to take month's adjournment on 13th inst. in case instructions re: defence is received till then

(21) To the office Branch for further action as per first Secy's orders, para 17 Sup and early return

11/8

S.11-8m
Local
1576

4310
0 396

General and Revenue Secretariat

File No.

OFFICE OF THE SECRETARY
MYSORE STATE LIFE INSURANCE COMMITTEE
No. 4789
App. F. III—2]
of 193 BANGALORE.

Serial No.

990 Early

Memo

(26) Forwarded with Compliments, to the Secretary, Mr. S. L. Insurance Committee, for kindly noting the Surrender Value due on the Ins. Policy of the official in question.

By order.

FINANCIAL SECRETARY
16 AUG

Fr3703/Encl

(27) Returned with compliments. The surrender value etc., available on policies Nos. 5048 etc., held by Mr. M. Veeraswamy Naidu as on 31st August 1930 is about Rs. 2569/-.

Deputy Secretary,
Insurance Committee.
16/8

16.8.30

(28) Vide Secy's query of 12/8/30
The Surrender of M. Veerasawmy naidu's policy is Rs 2569 less than the assured sum. Balance due from him on account of Hdfs is Rs 1260 which is much less than the Surrender value
16-8-30.
Secy.

(29) I agree to the Registrar's action
The policy has been assigned to
h

General and Revenue Secretariat

File No 134 of 1929.

Serial No.

Letter no. 59/30.31 dated 14.8.30 from the PPr Bline stating that the vakalat has been filed ~~and~~ in O.S. 80/29-30 and the Case stands adjourned to 10.9.30 for filing defence and requesting to give necessary instructions to draft the defence statement, as the adjournment given is the last Chance.

(30) The assignment of the Police now proposed to be given as security should be completed & the mortgage in favour of the Dewan, of the house in dispute, should be released by the end of this month, so that instructions may be issued to the PPr to report to the ~~Court that~~ Court on 10/9/30 that Govt have no interest in the suit property & that the name of the Dewan may therefore be struck out from the pleadings.

(31) The Office & the Fin'l Branches ~~may~~ will therefore be requested to take necessary actn in time & return this file before 31st August.

Subm for approval.

Legal Rr.

file (D No: 348972), it is one of the special incidents of the Official Branch that insured officials are not authorised to assign away their policies during their life time - they are empowered only to make a nomination to take effect after their death.

9) The Plr in a Communication received today states that this suit is posted to 24th inst. for filing defence. As stated in para 10 above there appears to be no valid defence possible in this suit, for Govt to put up - If no satisfy arrangement can be made with me. Veerasami Naidu within the next date of hearing ie 24-9-30, Plr has to be instructed to state that Govt has no written statement to file in the case & ~~take~~ remain satisfied with such rights, they may get as a ~~mortgage~~ mortgagee ~~right~~. Subject to the vendor's prior

risk of loss of the Govt: advance, which being recovered in monthly instalments from the pay of Mr. Viswanatha Naidu

16/9/30

(41) To the Law Secy with compliments As proposed in the note dated 21/8 instructions may be given to the P. Pr to get the name of the Dewan struck out from the pleadings

16/9/30

Letter No. 99/30-31 dated 14th Sept 1930 from the Pr. Bilore informing that the case re: O.S. 80/29-30 stands adjourned to 7th inst for filing written statement and requesting to issue necessary instructions in

42) Since Govt are not giving up the security of the house in dispute (Vide Fin: Secy's note above para 40), instructions as proposed by the Ch: Secy in para 41 cannot be sent. The course that is to be adopted is that indicated in para 39 at A. Draft according put up for approval

Regal 17

43) I have also discussed the matter with the Secy, Mfg, Labour

D. M. 17.9

17/9

Lo

The PPr. Bangalore

No. P. 1674 of 18.9.30 Stating that Govt need not file any W.St. in O.S.80 of 29-30, as mortgage are subject to the vendors lien if any; and further Progress may in due Course be intimated.

The linked file may be returned to the Office Branch. The documents in this file may also be kept there in safe custody.

MM 23.9

The mentioned documents are been removed from the file & kept in safe Custody

1. Mortgage bond dy 19.1.1929 executed by Mr. Veeraswamy Naick in favor of Govt.
2. Sale deed on Rs 56/4 stamp paper executed by Bhogappachari in favor of Mr. M. Viraswami Naick
3. Indemnity bond dated 26th August 1930 executed by Mr. M. Veeraswami Naick in favor of Govt

24.9.30 Asst (Encumbrance)

No.

Please put up a draft to PPr enquiring at what stage the Case is at present.

MM
10/1/3.

Dft sub^d according

TSD 10/1

Issue
MM 10/1

x Weekly

No. P. 4160 dd 13. 1.

Letter no 298/30-31 dated 15th Jan from the PPr. Bangalore stating that the Case is posted to 10.2.31 for evidence and he has reported to the Court that Govt have no interest in the Subject matter and do not Contest the Case

for perusal

TSD
20/45 In this office letter of 18th Sept PPr was instructed that Govt need not file any W.S in the case, Since their mortgage rights are subject to the vendor's lien, if any & that therefore the litigation may be allowed to be fought between the pltff & the other defts, the case being merely watched on behalf of the Dewan - In the P.V.D the PPr states that he has reported to the Court the Govt have no interest in the Subject-

matter – If by this is meant, they have relinquished even their ~~interest~~ mortgage interest in the suit property, it is feared the Dr. has not reported the fact correctly to the court.

Draft enquiry in the matter may be put up –

DMP
25/1

Dft is put up accordingly

TSD
24/1

clean draft, please

DMP 21/1

Typed dft sent

TSD
25/1

Refer: paras 41, 42 and 45-Supra

Draft put up is for approval

Letter no 327/30-31 dated 25th Jan 1931 from the PPr. Bangalore enclosing a copy of the memo filed by him on 20.10.30.

A copy of the Judge's note was called for. In the memo filed by him, he states that there is a personal decree passed against the 1st defr. for part of the amount claimed. Hence the 2nd defr does not contest for the rest of the amount.

ISD
29/1

Please request him to send the copy of the Judge's notes as called for

MC
29/1

Dfr put up

ISD
30/1

made to the Govt on 28-10-30, as per P.U.D & marked 'A' in red pencil. It would have been better if the memo had followed the instructions conveyed in this office letter of 18th sept 1930.

Legal[illegible] MNP 4/3/31

yes. This may be pointed out.
D-5/3

Dft to the PPr. Pur.

I&D 7/3

Draft may be approved

Legal[illegible] MNP 7.3

9/3

Issue MNP 10/3

To

The PPr Bangalore

No. P. 5500 dated 11.3.31 Pointing out that it would have been better if the memo had followed closely the instructions

IN ALL FUTURE COMMUNICATIONS
PLEASE QUOTE --
No. C8-H.B.114/28-29.
ENC. 2 bonds & Summons in duplicate with ~~nil~~ Encls

TEL. ADDRESS-"DEPCOM."
POST BOX NO. 34.

OFFICE OF THE DEPUTY COMMISSIONER,
BANGALORE DISTRICT.

Dated, Bangalore, the 19th March *19*30.

FROM

K. SYED TAJ PEERAN, ESQ; B.A.,
Deputy Commissioner,
Bangalore District.

TO

P. Mahadevayya, Esq., B.A., B.L.,
Secretary to Government, Law Department,
Bangalore.

SIR,

SUBJECT:— House purchase Advance to Mr. Veeraswamy Naidu, Clerk, Dewan's Office.

Adverting to letter No. Fl. 5406 dated 11-2-1930 from the Financial Secretary to Government, forwarding copy of representation dated 24-2-1930 of Mr. Veeraswamy Naidu and of Notice No. 182 dated 18-12-1929 from Mr. H. Krishnappa, Advocate, Bangalore, I have the honour to enclose herein, summons in duplicate -- received from the Sub-Judge, Bangalore, with its enclosure making the Deputy Commissioner (Dewan of Mysore) as 2nd defendant. It is not known as to why the Deputy Commissioner is included as 2nd defendant. The party Mr. Veeraswamy Naidu produced a title deed in his favour and the mortgage was accordingly got executed in favour of Government and the money advanced. As the house is treated to be a security on which the advance is sanctioned, the interest of Government is safe. The sale deed in favour of Mr. Veeraswamy Naidu and the mortgage bond in favour of Government, are also enclosed for kind perusal and return. As the case is posted for the 24th instant, the Public Prosecutor may be addressed to take an adjournment in the meanwhile. Further instructions are solicited in the matter.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner,
Bangalore District.

In the Court of the Subordinate Judge,

Bangalore.

O. S. No. 80 of 1929-30.

Plaintiff:-

Bhogappachari, alias Bhogachari, Age about 56 years, Son of Basappachari, Residing near Baneswara Temple, Arcot Srinivasachari Road, Bangalore City

VS.

Defendants:-

(1). M. Veeraswami Naidu, Son of M. Veeraraghavalu Naidu, (Clerk, General & Revenue Secretariat,) Residing at 28/3 and 28/4, Seshadripuram, Bangalore City.

(2). The Dewan of Mysore, Through the Deputy Commissioner, Bangalore District, - Bangalore.

-o-o-o-

Under Order VII, Rule 1, Civil Procedure Code:

The Plaintiff abovenamed begs to state as follows:-

1. [redacted] for the purposes of services of Su[redacted]e etc., the address of the Plaintiff[redacted] as given above.

2. The 1st defendant proposed to purchase the Schedule property from the plaintiff and to pay a portion of the purchase money forthwith and to pay the balance

balance of purchase money after he got an advance for purchase of a house from the 2nd Defendant for the purchase of the Schedule property

3. That by the registered Sale - Deed dated 18th February 1939, the Plaintiff acknowledged the receipt of Rs.1,308/-, and agreed to receive the balance of purchase money, namely Rs.3,192/-, after the 1st defendant got the loan sanctioned. As per the above Sale Deed, the 1st defendant has to make over the cheque he got from - the 2nd Defendant in Plaintiff's favour or pay cash

4. That, though the 1st defendant got the loan amount from the 2nd defendant on the security of the Schedule house, he has failed to pay the Plaintiff, though - often demanded, the balance of purchase - money of Rs.3,192/- and hence this suit - for the recovery of unpaid purchase money with interest at 12 per cent per Annum by way of damages for non-[redacted] of the balance of purchase money

5. That, as the 2nd Defendant has advanced money to the 1st defendant on the security of the Schedule property over which there

there remained unpaid a balance of purchase money due to the Plaintiff and as the Plaintiff has got a lien on the Schedule property for the unpaid purchase - money and as the Plaintiff prays for a charge on the Schedule property to which he is legally entitled apart from the - personal relief against the 1st defendant, the 2nd defendant is made a party to this suit, Due notice under Section 80, Civil Procedure Code has been served on the 2nd defendant.

6. The cause of action for this suit has arisen from about the end of February 1929, when the 1st defendant received the advance amount from the 2nd defendant, within the jurisdiction of this Honourable Court.

7. The value of this suit for - purposes of jurisdiction and Court Fee is Rs.3,192/- plus interest by way of damages from 1st March 1929 up to the date of suit Rs.383/-, in all Rs.3,575/-.

8. The Plaintiff prays for a - judgment and Decree for the recovery of Rs.3,575/- (Three thousand five hundred and seventy five rupees only) with court costs and current interest and such other reliefs to which the plaintiff may be - found entitled against the 1st defendant

personally

personally and also against the property mentioned in the Schedule below.

Bangalore,
March 1930.

Plaintiff.

Copy Ne

Advocate for Plaintiff.

I, the Plaintiff abovenamed, declare that what is cont[illegible] from paras 1 to 8 are true to the best of my knowledge, information and belief

Bangalore,
March 1930.

Plaintiff.

Schedule.

Door No. 23/3 and 22/4 in the Main Road, Seshadripuram, Bangalore City, - bounded on the

North by Ramappa's house,
South by Srinivasa Rao's house,
West by Conservancy
and East by Main Road, with the dwelling house and out-buildings of all kinds used or intended to be used with the said building.

Section Law

File No 134 50

Serial N 2

No. 15066 (1)

To

The Public Prosecutor
Bangalore.

Sir,

I am directed to forward herewith a copy of the plaint in O.S. 80 of 29-30 (Bhogappachari Mrs. Veerasami Hindu Law Dewan of Mysore) on file of the Sub Court, Bangalore and to request you to move for and obtain an adjournment for a month on 24th March to which date the

posted for first hearing.

Necessary instructions as to the defence of the suit will be issued to you in due Course

Government may ~~will~~ be kept informed of the dates of hearing and the progress ~~made~~ of the Case.

I have etc

D M,

Legal Rr

Section Law
File No. 134-29
Serial No. 3
No. 1067 (4)

To

The Deputy Comr
Bangalore

Sir,

With reference to your letter No C.S- H.B. 114/28-29 Dated 19th march 1930 regarding the Suit filed by Bhogappachari against Mr. Veerasami Naidu the Dewan of Mysore in the Sub Court, Bangalore, I have the honour to forward herewith copy of the letter addressed the Public Prosecutor

Bangalore, in the matter.

The Summons in duplicate sent with your letter are herewith enclosed ~~returned~~ They may be returned to the Court ~~Suit~~ with the remark that the Deputy Comr Bangalore is not the person to whom the Summons is addressed nor is he the person to receive them on the Dewan of Mys

The public prosecutor,
Bangalore

The Legal Remembrancer and
Secretary to Government,
Law Department,
Bangalore.

Re: OS 80/29-30 on the file of the
Sub-Judge, Bangalore.

In reference to your letter no. P 5066
34.29 of the 21st instant I have the
to inform you that I appeared in
the above case and took time t
for filing vakalat and written sta
that necessary instructions may b
to me for drafting the written sta

Section Law

File No. 134-29

Serial No. 6

No. J 5525

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To

The Public Prosecutor

Bangalore

Date of issue..... 9/4/30

Signed by.....

Sir,

With reference to your letter No: 347 dated 29th March 1930 regarding O.S. 800 of 29-30 (Bhojathachari vs M. V Naidu & another) on the file of the Sub Court, Bangalore I ~~am directed~~ have the honour to state that the 2nd defendant in the suit ~~is~~ herein described as "The Dewan of Mysore through the Deputy Com^r, Bangalore", (the D^y Com^r to whom the Summons in duplicate with

List of enclosures.....

Copied by.....

Examined by.....

~~The D C~~ was instructed ~~to this office~~ ~~letter no. PS067 dated 21st march 1950~~ to return the Summons to the Court with the remarks that he is not the person to whom the Summons is addressed nor is he the person to serve it on the Dewan of Mysore. It is not known what action the Court has taken to effect proper service and why

It is not clear from the description of the 2nd defendant in the suit, whether it is the Dewan of Mysore that has to give you the Vakalat ~~of the D C Bangalore~~

The incorrect address and description that given in the plaint & the fact of the 2nd defendant, may be brought to the notice of the Court on the next date of hearing and the orders passed ~~there on~~ ~~may be~~ communicated to this office for further action.

A copy of the plaint is herewith sent for your information ~~and reference~~

Yours [illegible]

From

B. N. VIJAYA, DEVA, M. A.,
BARRISTER-AT-LAW,
PUBLIC PROSECUTOR & GOVT. PLEADER,
BANGALORE DVN.

To

The Legal Remembrancer
and Secretary to Government
Law Department
Bangalore

Dated 15-7-1930

Despatched 15-7-1930

Received

General No. 16/30-31.
No.

Enclosure No. 1

Sir, Re: O.S. No. 80/29-30. on the file of the Sub-Judge, Bang.

With reference to your letter No. P 552 Law 54-29 dated 9.4.1930 I have the honour to inform you that the above case is posted to 13-8-1930 for filing vakalat and written statement of the second defendant in my representation in connection plaint has been amended with regards the address of the second defendant as the Dewan Mysore, instead of Dewan of Mysore through the Deputy Commissioner, Bangalore. I request that necessary instruction may be issued to

for signature and return

I have the honour the,
Sir
Your most obedient servant

B. N. V. Della
public prosecutor
Bangalore

Appendix F G—1

SUBJECT.....

.....

.....

Section

File No. 4-29

Serial No.

No. P733(1)

Diary No. of letter replied t .....

General and Revenue Secretariat

( )

the *193*

Date of issue 7-8-30

Signed by

To

The Public Prosecutor

Bangalore

Sir,

With reference to your letter No: 16/30-31 dated 15th July 1930 regarding O.S. No: 80 of 29-30 on the file of the Subordinate Judge, Bangalore, I have the honour to forward herewith the Vakalat

to take a months adjournment on 13th August, if
case
~~case~~ you receive no instructions
regarding the defence ~~bill~~
~~bill~~ bill."

Mr I have the

Legal A

DPP
S/S

P 733 / Law 136-29-787-8-30
Income

The Public Prosecutor,

Bangalore Divisio

With reference to your letter No. 16/30-31 dated 15th July 1930 regarding O.S.No. 80 of 29-30 on the file of the Subordinate Judge, Bangalore, I have the honour to forward herewith the Vokalat duly signed by the Dewan, I am to state that the matter of the defenc to the suit is still under consideration of Government and to request you to take a months adjournment on 13th August in case you receive no instructions regarding the defence till then.

I have the honour to be,

Sir,

Your most obedient servant,

For Legal Remembrancer &
Secretary to Govt.,
Law Department.

TSD.

Respectfully submitted:-

I beg to state that the balance now due by me is Rs.1,227-4-0. I have already given in a surety ~~xxxx~~ one Mr.G.Venkataswamy Naidu, Chief Guard, (Mysore Railways, who is getting a pay of Rs.50/- in the grade 35-5-65, and I am unable to get another person to stand as surety now. Nor I will be able to return the balance due in one lump, and request that the same may be deducted as usual and it will take 37 months to discharge the advance in full, viz. Rs.1227-4-0. I am now 51 years of age and I have 4 more years of service and this debt will be discharged before my superannuation. I am quite willing to give as surety my insurance policies of the Official Branch which will amount to Rs.3207/- at the time of my superannuation, and I will execute a bond to this effect in the form to be suggested by Government.

M. Peerasvame Naidu

To

The Remembrancer
and Secretary to Government,
Law Department,
Bangalore.

Sir,

4-9-1930 With reference to your letter No. P. 733 of The D. Inv. 30. 7th instant I have the honour to inform you that I filed the vakalat in court yesterday and took time till 10-9-1930 for filing defence in court. Already four adjournments have been taken and on my representation in court the case has been adjourned to 10-9-1930. as a last chance. I request you to give me necessary instructions to draft the defence statement. It will not be possible to take further adjournment in the above case.

16/8
Ne Luftf. Prüfst. Br. mit Anschluß) W TPD 16/8

The file has come again to O.B.

O.B. with Compliments for favour of

Posting it up.

TPD.
20/8

Ne Lib. 4. Part Vermerke:
It may be returned for putting
further when as ordered by the
21 VIII
Ne Luftf.-Prüfst.-Br. mit Anschluß

Leaser 1314-29-8 192

From

B. N. VIJAYA, DEVA, M. A.,
BARRISTER-AT-LAW,
PUBLIC PROSECUTOR & GOVT. PLEADER
BANGALORE DVN.

To

The Legal Remembrancer,
and Secretary to Govern
Law Department
Bangalore.

Dated 14-9-1930

Despatched -do-

Received

General No. 99/30-31
No.

Enclosure No. nil.

Re: OS. 80/29-30 on the file of the Sub-judge, Bangalore
Bhagappa Chari vs. Devu
Mysore, Bangalore

I have the honour to inform you that the above case stands adjourned to 24th instant for filing written statement. I request that necessary instructions be issued to me at an early

Appendix F G—1

SUBJECT.....

.....

.....

Section Law

File No. 184-29

Serial No. 9

No. P./6714.

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To

The Public Prosecutor

Bangalore

Date of issue.....18/8/32.....

Signed by.....M. N. Rao

Sir,

In reply to your letter No: 99/30-31 dated 14th instant regarding O.S.8 of 29-30 on the file of the Sub Court, Bangalore, (Bhopath Chari vs Dewan of Mysore), I am ~~directed~~ to state that it is a case in which Government need not file any written statement, ~~but~~ Since their rights as mortgagees are subject to the vendor's

List of enclosures.....

Copied by.....

Examined by.....

lien if any. The litigants
may be allowed to be forgo
out between the plaintiff
& the other defendant & the
case may simply be watched
on behalf of the Crown

Further progress may
in due course be intimated
as usual

I have &c

Registrar

18th September 193(

le Public Prosecutor,

Bangalore.

reply to your letter No. 99/30-31 dated 14th instant
g O.S. 30 of 29-30 on the file of the Sub Court, Bangalore
achari Vs Dewan of Mysore), I am to state that it is a
which Government need not file any written statement,
since their rights as mortgagees are subject to the vendor's lien,
if any. The litigation may be allowed to be fought out between
the plaintiff and the other defendant and the case may simply
be watched on behalf of the Dewan.

Further progress may in due course be intimated as usual.

I have the honor to be,

Sir,

Your most obedient servant,

For Legal Remembrancer and
Secretary to Government Law Deptt.

The public prosecutor
Bangalore.

The Legal Remembrancer and Secretary
to Government, Law Department,
Bangalore

Re: OS 80/29-30 on the file of the Sub-Judge
Bangalore. (Bhagappa Chari Vs.
Dewan of Mysore)

V-19/11

With reference to your letter No. P 4160/Law
Secretariat
of the 13th instant I have the honour to state
that the above case is posted to 10-2-1931
for evidence. I have also reported to court that
Government have no interest in the subject-matter and
do not contest the case and allow the parties to fight out
their right.

I have the honour to be,
Sir
your most obedient Servant,
B. N. V. Dalla
Public prosecutor,
Bangalore.

To

The Public Prosecutor,

Bangalore.

Sir,

4109

O.S.80/29-30 on the file of the Sub-Judge Bangalore (Bhogappachari Vs Dewan

---

261/31

I am to invite your attention to this office letter No.P.1674 dated 18th September 1930, in which you were instructed that Government need not file any written statement in the above case, since their mortgagee -- rights are subject to the vendor's lien, if any and that therefore the litigation may be allowed to be fought between the plaintiff and the other defendent, the case being merely watched on behalf of the Dewan.

Mr Narasimha

In your letter No. 298 of 18th January 1931, you state that you have reported to the Court that Government have no interest in the subject matter of the suit. It is doubtful whether this may not mean in effect that -- Government have relinquished whatever rights they may have in the suit property as mortgagees. I am therefore to request you to obtain and forward at once a copy of the -- Judge's notes showing the representation you have made to the Court, on behalf of Government.

The matter may ~~kindly~~ be treated as immediate.

I have etc.,

22/1

Secy. to Govt.Law Deptt.

TSD

c.n.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. *Dated, Bangalore,* 26th January 1931

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Public Prosecutor,
B a n g a l o r e.

Sir,

O.S.80/29-30 on the file of the Sub Judge Banga
(Bhogappachari Vs.Dewan)

I am to invite your attention to this office letter No.P. 1674 dated 18th September 1930, in which you were instructed that Government need not file any written statement in the above case, since their mortgagee rights are subject to the vendor's lien, if any and that therefore the litigation may be allowed to be fought between the plaintiff and the other defendent, the case being merely watched on behalf of the Dewan.

In your letter No. 298 of 18th January 1931, you state that you have reported to the Court that Government have no interest in the subject matter of the suit. It is doubtful whether this may not mean in effect that Government have relinquished whatever rights they may have in the suit property as mortgagees. I am therefore to request you to obtain and forward at once a copy of the Judge's notes showing the representation you have made to the Court, on behalf of Government.

The matter may be treated as immediate.

I have the honor to be,
Sir,
Your most obedient servant,

For Secretary to Government
Law Department.

No 327/30-31
encl (1)

From

The public prosecutor,
Bangalore

To The Legal Remembrancer and Secretary
to Government, Law Department,
Bangalore

Re: OS 80/29-30 on the file of the Sub-Judge,
Bangalore (Bhogappa Chetti vs Dewan)

With reference to your letter No. P. 4109 Law of the 26th instant
I have the honour to send herewith the copy of the
memo filed by me in the above case on 28/10/30.

I have the honour to be

Your most obedient Servant,

B. N. V. Deva.
public prosecutor,
Bangalore

In the court of the Sub-judge, Bangalore

OS 80/29-30

Plaintiff	Defendants
Bhagappa chari	1. Veerasami naidu
	2. Dewan of Mysore.

Second defendants' memo

Since second defendant does not contest the suit, half the institution fee may be ordered to be refunded to plaintiff.

There is a personal decree passed against the first defendant for part of the amount claimed. Hence the second defendant does not contest for the rest of the amount.

Bangalore
18/10/30.

"Copy"

B.N.J.D.
Public Prosecutor.

Appendix F G—1

SUBJECT.....

.....

.....

Section

File No.

Serial No.

Diary No. of letter replied to.....

No. 4666

General and Revenue Secretariat

( )

the *193*

To

The PRy. Bangalore

Date of issue 2/2/31

Signed by.....

Sir,

With reference to your letter no 327/29-31 dated 28th Jan'y 1931 enclosing a copy of the memo filed in O.S. 80/29-30 on the file of the Subordinate Bangalore (Bhogappachari vs Devan), I am directed to request you to send for the information of the Govt a copy of the judges note as required

No 6109 dated 26th Jan'y 1931.

I have etc

for Secy

ISD 29/1

B—25,000—25-6-30

31st January 1931.

P 4666 / Law

The Public Prosecutor,
Bangalore.

With reference to your letter No. 327/30-31 dated 28th January 1931 enclosing a copy of the Memo filed in O.S.80/29-30 on the file of the Sub Judge Bangalore, (Bhogappachari Vs. Dewan), I am directed to request you to send for the information of the Government a copy of the Judges Notes as required in this Office letter No. 4109 dated 26th January 1931.

I have the honor to be,

Sir,

Your most obedient servant,

N. Sanjiva Iyengar

For Legal Remembrancer and
Secretary to Govt. Law Deptt.

TSD

To

The Legal Remembrancer and Secretary
to Government,
Law Department,
Bangalore

O. S. 80/29-30 on the file of the Sub-judge, Bangalore. Bhagappa Chari vs. Dewan of Mysore.

I have the honour to send herewith the certified copy of the judge's note on 28/10/1930. On 28/10/30 when I represented to the Court that Government is not filing any written statement since their rights as mortgagees are subject to the Vendor's lien, if any. The litigation may be allowed to be fought out between the plaintiff and the defendant. judge ordered me to file a memo to the effect. I have filed a memo a copy of which has already been sent to you with this office no 327/30-31 dated 28/1/31. judge has noted in the order sheet on 28/10/30 that I have filed a statement which is the memo above referred to.

I have the honour to be,
Sir,
your most obedient Servant
B. Venkata Subba Rao
Public Prosecutor

TWO ANNAS

ಎರಡು ಆಣೆ

In the Court of the Subordinate Judge at Bangalore

O.S. 80 of 29-30

Plaintiff Bagappachari alias Bhagachari

Defendant: In. Veerasami Naidu

2. The dewan of Mysore through Deputy Commissioner Bangalore dewan

28 30 plaintiff by Mr. H.K.

1st defendant by Mr. S. Seshachari 2nd defendant by Mr. B.D.K. Iyer

Adjourned plaintiff wants time

13-11-30

(Sd) C.S. Subordinate Judge

28 30

True copy

[illegible]

Assistant

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6/2/31	28.2.31	28.2.31		

Copy ready on the	Copy delivered on the	Copied by	Examined by
23.2.31	28/2/31	K. Ramayanan	G. Krishna Iyer

Section

File No.

Serial No.

No. 5500

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue 11/2/31

Signed by

Copied by

Examined by

To

The P.P. Bangalore

Sir,

With reference your letter no 375/30-31 dated 26th Feby 1931 re: O.S. 80/29-30 on the file of the Sub-Judge Bangalore (Bhoga[illegible]ppa Chari vs Dewan of Mysore) I am directed to state that the memo filed by you on 28.10.30 does not seem to state correctly the oral representation said to have been ~~made~~ made to the Court on 28.10.30, and to point out

ence if the memo had followed
closely the instructions conveyed
you in this office letter no
1674 dated 18.9.30.

I have etc

ISD
7/5

DM for A. R[illegible]

10th March 1931.

The Public Prosecutor,
Bangalore.

With reference to your letter No. 373/30-31 dated 26th February 1931 re. O.S. 30/29-30 on the file of the Sub Judge Bangalore (Bhogappachari Vs Dewan of Mysore) I am directed to state that the memo filed by you on 28th October 1930 does not seem to state correctly the oral representation said to have been made to the court on 28th October 1930 and to point out that it would have been -- better if the memo had followed closely the instructions conveyed to you in this office letter No.P. 1674 dated 18th September 1930.

I have the honor to be,
Sir,
Your most obedient servant,

For Legal Remembrancer and
Secy. to Govt. Law Deptt.